

UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF NEW YORK

-----X
RASIMA DZANANOVIC,

Civ. _____

Plaintiff,

- against -

COSTCO WHOLESALE CORPORATION,

Defendants.

-----X

REMOVAL PETITION

To the Honorable Judges of the United States District Court for the Eastern District of New York, the defendant, COSTCO WHOLESALE CORPORATION by their attorneys, Connors & Connors, P.C., state the following upon information and belief:

1. That COSTCO WHOLESALE CORPORATION is a defendant in the above-entitled action.
2. That RASIMA DZANANOVIC is the plaintiff in the above entitled action.
3. That on August 12, 2020 this action was commenced against COSTCO, in the Supreme Court of the State of New York, County of Queens, and is now pending.

The action is captioned:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

-----X
RASIMA DZANANOVIC,

Index No. 712857/2020

Plaintiff,

-against-

COSTCO WHOLESALE CORPORATION,

Defendant.

-----X

4. No further proceedings have been had in the Supreme Court of the State of New York, County of Queens.

5. As per the allegations contained in the complaint, the amounts in controversy in this action allegedly exceeds the amount recoverable in the lower courts of the City and State of New York, exclusive of interest and costs.

6. The undersigned received a cover letter from plaintiff's counsel, Law Offices of Marc S. Alpert dated December 14, 2020, indicating that plaintiff's responses to demands for a Statement of Damages are annexed. The response which is incorrectly dated as November 11, 2020 was received by my office on December 23, 2020 and alleges damages in the amount of \$2,000,000 (two million dollars). Copies of said cover letter and plaintiff's Response to our Demand for a Statement of Damages is annexed hereto as **Exhibit "A"** including the date stamped on the Response noting our receipt of same on December 23, 2020. As such this case is a candidate for removal pursuant to 28 USC.1332.

7. Thus, this Notice of Removal is being filed within 30 days of being advised by plaintiff's counsel that the damages are in excess of \$75,000.

8. Upon information and belief, COSTCO WHOLESALE CORPORATION is incorporated in the State of Washington.

9. Upon information and belief, COSTCO WHOLESALE CORPORATION is a company organized and existing under and by virtue of the laws of the State of Washington.

10. This is an action for damages for personal injury resulting from the alleged negligence of the defendant occurring at a Costco store located at 3250 Vernon Boulevard, Long Island City, County of queens, New York.

11. This Honorable Court has original jurisdiction over this action pursuant to 28 U.S.C. §1332 and the action may therefore be removed to this Honorable Court pursuant to 28 U.S.C. §1441.

12. A copy of the Summons and Complaint and plaintiff's Amended Complaint received by Defendant are annexed hereto as **"Exhibit B"**.

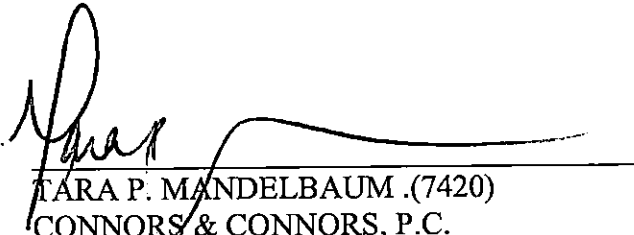
13. On August 25, 2020, our Answer was served on behalf of Costco Wholesale Corporation. On September 14, 2020, our Answer to plaintiff's Amended Complaint was served on behalf of Costco Wholesale Corporation. Copies of said Answers are annexed hereto as **Exhibit "C"**.

14. That a copy of this Notice and Petition for Removal will be served on the attorney for the plaintiff and a copy will be filed with the Clerk of the Supreme Court of the State of New York, County of Queens.

15. That no previous application for the relief sought herein has been made to this or any court with regard to the Summons and Complaint and Amended Complaint at issue herein.

WHEREFORE, defendant, COSTCO WHOLESALE CORPORATION prays that the above-entitled action now pending against them in the Supreme Court of the State of New York, County of Queens, be removed to this Honorable Court.

Dated: Staten Island, New York
January 5, 2021

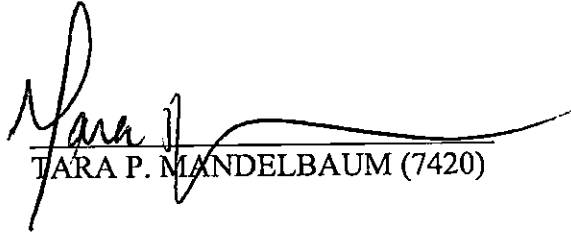


TARA P. MANDELBAUM .(7420)
CONNORS & CONNORS, P.C.
Attorneys for Defendants,
COSTCO WHOLESALE CORPORATION
766 Castleton Avenue
Staten Island, New York 10310
Tel. 718.442.1700
File No. DCW 27153

TO: MARC S. ALBERT, ESQ.
LAW OFFICES OF MARC S. ALBERT
Attorneys for Plaintiff
RASIMA DZANANOVIC
32-72 Steinway Street
Astoria, NY 11103
(347) 472-5080

CERTIFICATE OF SERVICE

I, TARA P. MANDELBAUM, hereby certify that a copy of the foregoing, **REMOVAL PETITION** was mailed by first class mail, postage prepaid on January 5, 2021, to all counsel of record as indicated below.



TARA P. MANDELBAUM (7420)

TO: MARC S. ALBERT, ESQ.
LAW OFFICES OF MARC S. ALBERT
Attorneys for Plaintiff
RASIMA DZANANOVIC
32-72 Steinway Street
Astoria, NY 11103
(347) 472-5080

Civ. Hon.
UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF NEW YORK
RASIMA DZANANOVIC,

Plaintiff.

-against-

COSTCO WHOLESALE CORPORATION,

Defendant.

NOTICE OF REMOVAL

CONNORS & CONNORS, P.C.

Attorneys for Defendant – COSTCO WHOLESALE CORPORATION
COSTCO WHOLESALE CORPORATION
Office and Post Office Address, Telephone
766 Castleton Avenue
Staten Island, New York 10310
(718) 442-1700 PHONE
(718) 442-1717 FAX

To

Signature (Rule 130-1.1-a)

TARA P. MANDELBAUM

Attorney(s) for

Service of a copy of the within

is hereby admitted,

Dated,

Attorney(s) for

Please take notice

9 NOTICE OF ENTRY

that the within is a (certified) true copy of a
duly entered in the office of the clerk of the within named court on

9 NOTICE OF SETTLEMENT

that an order
settlement to the HON.
of the within named court, at
on

of which the within is a true copy will be presented for
one of the judges

at

Dated,

Yours, etc.

CONNORS & CONNORS, P.C.

Attorneys for Defendant – COSTCO WHOLESALE CORP.
Office and Post Office Address
766 CASTLETON AVENUE
STATEN ISLAND, NEW YORK 10310

Attorney(s) for